

UNITED STATES DISTRICT COURT

for the
District of New Mexico**FILED**
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

APR 25 2016

MATTHEW J. DYKMAN
CLERK

Case No.

16mr323

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

SEE ATTACHMENT "A"

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

SEE ATTACHMENT "A"

located in the _____ District of _____ New Mexico _____, there is now concealed (identify the person or describe the property to be seized):

SEE ATTACHMENT "B"

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

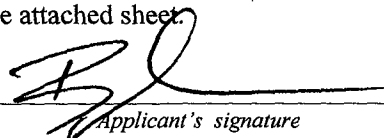
- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☒ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. Section 1962(d)	Racketeer Influenced and Corrupt Organizations (R.I.C.O.) Conspiracy;
18 U.S.C. Section 1959 (a)	Violent Crime in Aid in Aid in Racketeering (V.I.C.A.R.);
18 U.S.C. Section 2	Aiding and Abetting.

The application is based on these facts:

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

CERTIFIED a True Copy of the
original filed in the office
of the Clerk
by _____ Deputy


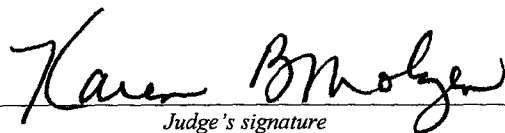
Bryan Acee, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: April 25, 2016

City and state: Albuquerque, New Mexico



Judge's signature

Karen B. Molzen, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF SEARCH WARRANTS

I, Bryan Acee, Special Agent of the Federal Bureau of Investigation, being duly sworn, do hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search seven (7) residences (hereinafter referred to as the "Subject Premises"), which are listed below and further described in Attachment A. This affidavit seeks search warrants to obtain evidence of violations of: 18 U.S.C. § 1962(d) Racketeer Influenced and Corrupt Organizations ("R.I.C.O.") Conspiracy, 18 U.S.C. § 1959(a) Violent Crime in Aid of Racketeering ("V.I.C.A.R."), and 18 U.S.C. § 2 Aiding and Abetting (hereinafter referred to as the "Target Offenses"), and are more specifically described in Attachment B.

Subject Premises	Target Subject	Location
A-1	MANUEL JACOB ARMIJO	
A-2	SERGIO LOYA RODRIGUEZ	
A-3	MANUEL BENITO	
A-4	VINCENT GARDUNO	
A-5	ANTHONY CORDOVA	
A-6	RICHARD GALLEGOS	
A-7	SHAUNA GUTIERREZ	

Background of the Investigation

2. The Federal Bureau of Investigation ("FBI"), New Mexico Corrections Department ("NMCD"), and Bernalillo County Sheriff's Office ("BCSO") are investigating the criminal activities of the Sindicato de Nuevo Mexico ("SNM") gang/criminal enterprise that operates within the District of New Mexico and elsewhere. I am the lead case agent in the investigation. The investigation into the SNM began in March

21. SNM members frequently commit "branded" criminal acts, in other words, they commit crimes in the name of the gang. Examples of branded criminal acts include: gang members shouting references to SNM before or during a crime; gang members demanding property or services because of their membership; gang members killing or attempting to kill members of rival gangs. SNM members have been known to kill or attempt to kill law enforcement officers, as well.

22. Weapons, to include blunt force and edged weapons, and firearms, to include handguns, rifles, and shotguns, are important tools of the trade and instrumentalities of the SNM.

23. SNM members operate under a "blood in, blood out" rule that prohibits them from leaving the gang unless they are assaulted (i.e. "jumped out") or killed.

24. SNM members are forbidden to speak with law enforcement officials and to do so may result in the SNM member's violent death at the hands of his fellow gang members; as was the case on multiple occasions in this investigation.

- Violence Targeting Witnesses and Cooperating Defendants in the Instant Investigation:

25. Over the course of this investigation, I have become aware of several instances in which SNM members or associates have threatened or conducted violent acts aimed at witnesses, victims, or cooperating defendants. Some of the most recent examples follow.

26. Example 1: In February, 2016, during a recorded telephone call, a CHS, who is a member of the SNM, spoke with a fellow SNM member and the member's mother, who is a long-time heroin dealer. The CHS attempted to order heroin from the mother. The SNM member and his mother became suspicious of the CHS and subsequently declined to sell heroin to the CHS. A few days later, the CHS was shot several times by a street gang member with family ties to the SNM. I should note that the CHS was utilized in the FBI's investigation of the SNM that led to the December 1, 2015, federal indictments and Phase I takedown operation.

27. Example 2: In February, 2016, three subjects entered a residence in Los Lunas, NM, and assaulted a victim, who was cooperating with Valencia County officials in an aggravated battery against